



SUPPLEMENTAL EDUCATIONAL SERVICES (SES)

NEW JERSEY SES PROVIDER APPLICATION INSTRUCTIONS

Service Period Beginning **September 1, 2009**



NEW, RENEWAL AND PROFILE CHANGE REQUESTS:

- ✓ NEW - NEW APPLICANTS (Service Period 9/1/09 – 8/31/11)
- ✓ RENEWAL - CURRENT PROVIDERS APPROVED IN 2007* (Service Period 9/1/07 – 8/31/09)
- ✓ PROFILE CHANGE REQUESTS - CURRENT PROVIDER UPDATES (Service Period 9/1/09 – 8/31/10)

DUE DATE: Friday, February 27, 2009

***Applications received AFTER February 27, 2009, at Noon EST
will NOT be considered for THE SERVICE PERIOD 2009-11.***

* SEE PAGE 2 FOR A LIST OF CURRENT PROVIDERS THAT MUST SUBMIT A RENEWAL APPLICATION

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Revised: November 14, 2008

**LIST OF SUPPLEMENTAL EDUCATIONAL SERVICES (SES) PROVIDERS
INITIALLY APPROVED IN 2007
WHO MUST COMPLETE A RENEWAL APPLICATION**

New Jersey SES providers approved in 2007 whose application expires at the end of the current *No Child Left Behind* (NCLB) project period of August 31, 2009. Providers initially approved in 2007 must complete the "RENEWAL" portion of this application and receive State approval to continue to provide services beginning September 1, 2009.

A+ Academy/New Mickle	Lakewood Community School
A+ Tutoring Services	Learn-It Systems
Against All Odds	Middletown Kumon Center
American Tutoring, Inc.	New Community Corporation
ASPIRA, Inc of New Jersey	New Jersey Student Success
Boys and Girls Club of Trenton/Mercer	Newton Learning
Boys and Girls Club of Hudson County	Oakhurst Kumon Center
Brienza's Academic Advantage	Passaic County Ed Services Commission
C2 Educational Systems	Perth Amboy Adult Education Center
Catholic Youth Organization of Mercer	Porter Educational & Communication
Chelsea Heights School	Preferred Tutoring Services, Inc.
The Community College Foundation, 1-2-1 Tutoring	Red Bank Primary School
Convenient Education Services, LLC	Richmond Avenue School
Cooper Learning Center	Somerset County Ed Services Commission
Cuban American National Council, Inc.	Somerset Kumon Math & Reading
Dean's Learning Center, LLC	St. James Social Services Corporation
Discere, LLC	Sylvan Learning Center of Eatontown
Education Station, LLC	Sylvan Learning Center of Monmouth
Educational Associates, LLC dba Huntington	The Archdiocese of Newark
Essex County Educational Services Commission	The Diocese of Camden
Hirsch Tate Group, LLC dba Huntington	The Diocese of Metuchen
Hispanic Family Center of Southern New Jersey	The Diocese of Paterson
Honors Review Learning Center	The Diocese of Trenton
Huntington Learning Corporation	The Rutgers Young Scholars Institute
Jersey City Educational Consortium	Tutoring Club of Washington Township
Kaplan, Inc.	Union City Board of Education
Kumon North America	Union County Educational Services
Kumon of Rahway	Urban League of Essex County
	Young Scholars' Institute

ATTENTION: Any provider omitted from this list must contact the NJDOE at SES@doe.state.nj.us immediately.



SECTION I: BASIC INFORMATION FOR APPLICANTS

A. Background

The *No Child Left Behind Act* (NCLB) was enacted by Congress in December 2001 and signed into law by President George W. Bush on January 8, 2002. It reauthorized the Elementary and Secondary Education Act (ESEA) and provides federal funding for many educational programs such as Title I programs for educationally at-risk youth, 21st Century Community Learning Centers, and Title III programs for English language learners.

The four pillars of NCLB are stronger accountability for results, more freedom for states and communities, proven educational methods, and more choices for parents. These key points of NCLB are intended to help all students meet state proficiency standards for mastery of language arts literacy, mathematics and science by the year 2014.

The main goal of NCLB is for all students to become academically proficient based upon each state's assessment program. Each school's progress toward meeting the student proficiency targets is measured annually to ensure that goals are met. Schools that do not meet the measurement of Adequate Yearly Progress (AYP) for two consecutive school years are identified as schools in need of improvement. During the first year of improvement status, all children in the school are eligible for school choice. (Choice means if a child attends a school that has been designated as in need of improvement, or is unsafe, parents can choose to send the child to another public school in the district.) In New Jersey when choice is not available, Supplemental Educational Services (SES) must be offered. For SES eligibility, only low-income students may select this option. If a school does not make AYP the following year, parents must be offered the options of public school choice or SES. Every year of failure to may AYP thereafter, SES must be offered.

B. Definition of Supplemental Educational Services

The U.S. Department of Education (USDOE) defines SES as additional academic instruction, such as tutoring or remedial help, for students from low-income families who attend schools that are in their second year of school improvement, in corrective action or in restructuring. This additional academic assistance is intended to ensure that students have an opportunity to increase their level of academic achievement, particularly in language arts literacy, mathematics and science.

SES must take place outside of the regular school day. SES includes academic assistance before school, after school, on weekends and holidays, or during the summer. Services may be in the form of tutoring, remediation or other academic interventions, provided that such approaches are consistent with the content and instruction used by New Jersey school districts and are aligned with the state's core curriculum content standards (CCCS). The NJ CCCS can be accessed at: <http://www.nj.gov/education/cccs/>.

For more information about SES, visit the NJDOE Webpage: www.nj.gov/njded/title1/program/ss/ and the USDOE non-regulatory guidance on SES at: <http://www.ed.gov/policy/elsec/guid/suppsvcsguid.doc>.

C. Who is Eligible to Apply for Approval as a Supplemental Educational Services Provider?

Legal entities eligible to apply to provide SES may include, but are not limited to, the following:

- Community agencies
- Charter schools (except those identified as in need of improvement)
- Public schools (except those identified as in need of improvement)
- Districts (except those identified as districts in need of improvement)
- Private schools/non-public schools
- Faith-based organizations
- Individuals
- Child care centers
- Libraries
- Community colleges and universities
- Private companies
- On-line schools
- 21st Century Learning Centers

Notes: Often, private companies and large providers have multiple franchise operations that are interested in providing services. New Jersey requires that each "legal entity" submit an application. In most cases, this means that each franchise must apply separately.

High performing schools (not designated in need of improvement) are eligible to provide SES. In districts where more than one high performing school wishes to provide SES, each school is considered a separate legal entity and must submit its own application which includes evidence that the proposed SES program reflects the instructional strategies, curriculum and staff of that specific school. Each high performing school must also have its own contact person/coordinator and separate instructional location.

If a school or district is in need of improvement or in corrective action, it may not be a SES provider. Teachers from the school or district identified as in need of improvement may be hired as instructors by SES providers. A school identified as in need of improvement may offer their facilities to providers to service children.

Any school may offer their facility to SES providers for a reasonable fee. Such fees must be consistent with those charged to other organizations which use the facility.



SECTION II: IMPORTANT INFORMATION FOR APPLICANTS

A. Supplemental Educational Services Stakeholder Responsibilities

1. The State's Responsibility (New Jersey Department of Education/NJDOE)

As indicated by NCLB, the state is required to:

- A. Identify and post on its public Web site 1) the schools that must offer SES, 2) the amount of funds available for SES, choice-related transportation, and related parent outreach, and 3) the maximum per-pupil amount for SES.
 - The NJDOE calculates and posts the Adequate Yearly Progress (AYP) of each school and identifies the schools in need of improvement. School districts make arrangements for their identified schools to offer SES and the schools notify parents of eligible students regarding their options. The NJDOE does not send a list of schools offering SES to providers.
- B. Request and review provider applications which require evidence that the provider's instructional methods and program content are aligned with the state's academic standards (New Jersey Core Curriculum Content Standards or NJCCCS), high quality research-based instructional delivery methods by qualified instructors, and programs designed to raise student achievement.
 - NCLB contains additional provisions of the law that include the state's responsibility to develop and apply objective criteria for identifying, monitoring and evaluating an array of SES providers. This is necessary so that parents and families have a wide variety of high quality provider choices to match their child's needs.
- C. Maintain a list of approved providers including those who serve students with disabilities and English Language Learners.
 - Annually the NJDOE releases a list of approved SES providers and posts the list on the NJDOE Web site where it is updated frequently. The approved list of SES providers is available to the public so that school districts can inform parents of the approved providers available to serve their child. The state is the only authority that may approve or remove a provider from the list. (For more information on the New Jersey Annual List of Approved SES Providers see www.nj.gov/njded/title1/program/ss/search.shtml)
- D. Monitor and evaluate provider performance including notices of whether or not a provider has been removed from any state's approved provider list.
 - The NJDOE annually assesses provider implementation of SES through the following:
 1. The Provider Annual Report,
 2. District Performance Report,
 3. Compliance and Safety Investigation Report Forms,
 4. Parental input,
 5. Evaluation results regarding the success of the provider's program in raising student achievement,
 6. Biennial renewal application,
 7. Desk audits, and
 8. On-site monitoring visits.

- E. Report results of provider effectiveness.
 - o The NJDOE prepares an SES Provider Self-Evaluation Annual Report and makes it available on its public Web site at: <http://www.nj.gov/education/title1/program/ss/evaluation.shtml>
- F. Before approving district use of unspent choice and SES funds for other allowable purposes the state must also monitor districts to ensure that they meet all criteria for implementation requirements.
 - o The NJDOE assesses district implementation of SES as follows:
 1. NCLB application review,
 2. SES Compliance and Safety Information Report Forms,
 3. Annual District Performance Report,
 4. NCLB Amendments,
 5. NCLB Final Report,
 6. On-site visits, and
 7. Fiscal Audit.
 - o The state must separately review any district that spends a significant portion of its SES and choice funds on other allowable activities and those that have been the subject of complaints regarding the implementation of Choice and SES. If the state determines that a district has failed to meet the implementation criteria, the district must spend an amount equal to its unspent funds in the subsequent school year, in addition to the 20 percent obligation for that year, or meet the criteria and obtain permission from the state before spending less in the subsequent school year than it is required to spend.

2. The District's Responsibility

Identified districts are required to provide annual notice to parents of eligible children regarding the availability of SES and information about the approved providers. Parents of an eligible child may select a provider that meets their child's academic needs. Parents may request a consultation with the school district to select an appropriate provider [NCLB Section 1116(e)(1)]. Districts may count costs for parent outreach for SES and choice-related transportation toward their 20% obligation up to an amount equal to 0.2 percent of the district's Title I, Part A allocation (1 percent of the required 20 percent sent-aside).

Districts are required to do the following:

- o Identify eligible students.
- o Provide parents and the public increased access to district SES data on their Web site.
- o Notify parents, at least twice annually, of the availability and benefits of SES in a manner that is clear, concise, timely, and distinguishable from the other information sent to parents regarding school improvement. Notice should be in a uniform format and to the extent practicable, in a language the parents can understand. Notice must include the following:
 - A list of the state approved providers, identifying those serving within the geographic region (all of New Jersey, the county and/or the district), those serving students with disabilities and English Language Learners, and those accessible through technology,
 - The format and procedures to follow for requesting SES, and the deadline, if applicable, and
 - A brief description of the services, qualifications, and demonstrated effectiveness of each state approved provider to assist the parent in making a selection.

- New Title I federal regulations as of October 2008 require districts to include on their Web sites before the start of the 2009-10 school year:
 - Student eligibility and participation data for SES and public school choice,
 - A list of SES providers approved by the state to serve the district and the locations where services will be provided, and
 - A list of schools to which eligible students may transfer.
- When possible, districts should conduct provider fairs to allow parents to meet with several potential providers prior to selection.
- Assist parents/families with provider selection only if specifically requested to do so.
- Develop, communicate and administer reasonable administrative and operational procedures.
- Contact providers selected by the parents and enter into a contractual agreement on behalf of the student.
- Work with provider, school, and family to set goals for each student through an Individual Student Learning Plan (ISLP). (Districts may contractually assign the development of the ISLP to providers.)
- Monitor procedures for providers to report on the progress of students receiving supplemental educational services.
- Process providers' request for criminal background clearance.
- Provide a copy of the criminal background clearance for any district employees hired by an approved provider.
- Pay providers in a timely manner.
- Monitor provider's contractual compliance.
- Notify the state of any concerns, non-compliance or safety issues regarding providers.
- Protect the privacy of students who receive SES.
- Code SES provider ID numbers on student state assessment test booklets.
- Provide specific requested data for monitoring purposes.
- Starting the current school year, before spending unused funds from the 20 percent obligation on other allowable activities, districts must meet the following criteria:
 - Partner, if possible, with outside groups to increase parental awareness of SES.
 - Provide timely, accurate notice of eligibility to parents.
 - Provide a minimum of two enrollment windows of sufficient length at separate points in the school year. Rolling enrollment is strongly encouraged.
 - Ensure that SES sign-up forms have been distributed directly to parents and are made widely available and accessible. (SES "sign-up" forms, which must be widely available, need not serve the purpose of provider selection. The SES sign-up forms may be distributed by any stakeholder to inform parents about the purpose of SES, for collecting parental interest in SES or to allow parents to sign-up for a provider/parent fair. This widely available form might

accompany parent notices of the academic benefits of SES tutoring, advertising dates of enrollment windows, providing student registration procedures, etc.)

- Ensure that SES providers are given access to school facilities in the same manner as other groups.
- Maintain records demonstrating that the district has met the above criteria.
- Complete the EWEG grant amendment and notify the state that they have met the above criteria.
- Inform the state of the amount of funds remaining from the 20 percent obligation that it intends to spend for other allowable activities.

Note: Districts may not remove an approved SES provider from the state list, may not choose providers they want to work with, or may not refuse a parent's selection of any provider. Only the state has the authority to remove a provider from the approved SES provider list.

3. The Parent's Responsibility

Parents play an important role in the facilitation of SES for their child by doing the following:

- Respond to the district/school notification regarding the option of SES for their child.
- Discuss with the child's teacher(s) the priorities for academic support.
- Review the state approved list of SES providers and select a provider that meets the child's academic needs.
- If necessary, request assistance selecting a provider from the school/district.
- Submit the school/district paperwork selecting an SES provider promptly.
- Participate with the school and the provider in the development of an Individual Student Learning Plan to meet the needs of the child.
- Arrange transportation, if necessary.
- Support the child's attendance, participation and progress.
- Seek information about the child's progress from the SES provider.
- Assure that services are delivered as scheduled.
- Monitor the child's achievement levels.
- Communicate regularly with the provider.
- Affirm that the provider also communicates with the child's school and teacher.
- If requested, provide feedback on the effectiveness of the provider.

4. The Student's Responsibility

- When appropriate, participate in setting learning goals during the development of the Individual Student Learning Plan.
- Become familiar with the Individual Student Learning Plan.
- Attend all scheduled tutoring sessions.
- Begin all tutoring sessions prepared to learn.
- Participate in every session.
- When unclear, ask questions of the tutoring instructor.
- Complete assigned work between tutoring sessions.
- As best as possible, consider how SES tutoring connects to regular classroom learning.
- Talk to parents/family and teachers regarding details of tutoring sessions.

5. The Providers' Responsibility

For an SES program to be considered for inclusion on the NJDOE list of approved SES providers, the provider must agree to:

- Sign and comply with the New Jersey Statement of Assurances contained within this application.
- Comply with policies as described by the Education Industry Association Code of Professional Conduct and Business Ethics (EIA) for Supplemental Educational Services Providers. The document is located at <http://www.educationindustry.org>. (See Appendix A).
- Register with the New Jersey Department of Treasury (<http://www.state.nj.us/treasury/revenue/index.html>).
- Offer proof of adequate liability insurance of at least \$1 million before SES.
- Review and keep as a desk reference, the USDOE Supplemental Educational Services Non-Regulatory Guidance at: <http://www.ed.gov/policy/elsec/guid/suppsvcsguid.doc>
- Verify if applicant is a school or district: Must not be a "school in need of improvement" or a "district in need of improvement."
- Apply to the state for NJ SES provider approval status during the advertised timeframe. All applications for new providers, biennial renewal applications for practicing providers and applications to request a change in the scope of current services for a practicing provider must be received no later than 4:00 pm on February 27, 2009.
- Offer clear, accurate and complete details regarding the capacity to deliver proposed scope of services.
- Provide services that are secular, neutral and of high quality, designed to enable students to attain their specific achievement goals adhering to the timetable collaboratively developed in the Individual Student Learning Plan.

- Ensure that the program content, pedagogy and all other aspects of instructional delivery are consistent with the instruction provided and content used by the district and state. The content must be aligned with the New Jersey Core Curriculum Content Standards (NJCCCS) and assessment measures.
- Regularly measure and report student progress to parents at least monthly. All student progress reports must be directly aligned with the Individual Student Learning Plan and must be presented in a format and language that parents can understand.
- Provide parents of children receiving supplemental educational services and the district/school with meaningful student progress reports, no less than monthly. Reports to parents must include a hard copy mailed to the home address. Passive reporting, such as an on-line posting, does not fulfill a provider's obligation to communicate student progress with parents.
- Provide the district/school with a summary progress report for each student at the end of services.
- Ensure the privacy of the student and the school/district.

If approved, the SES provider must do the following:

- Follow all state guidelines regarding ethical SES recruitment practices.
- Maintain accurate records with the NJDOE.
- Maintain and deliver all aspects of the SES program as approved by the NJDOE.
- Maintain complete personnel records for all employees and representatives to include at a minimum, job descriptions, teaching credentials, professional development, and a copy of a current criminal background check.
- Work collaboratively with schools, districts, and families in the development of the Individual Student Learning Plan. The plan must be collaboratively developed based upon the unique needs of each student.
- Meet all terms and timelines of agreements/contracts with all districts.
- Meet all terms and timelines of data requests from the NJDOE.
- Meet all applicable federal, state, and local health, safety, and civil rights laws.

NOTE: If transportation is provided, provide proof of insurance, valid driver's licenses, etc. for each employee assigned to transport children.

B. Selection Criteria for Providers

Under NCLB, each state is responsible for defining acceptable evidence of effectiveness. Criteria developed for selection, approval, monitoring and evaluation, of providers include, but are not limited to the following:

1. **A demonstrated record of effectiveness in improving student academic achievement.**
 - ✓ Acceptable evidence includes documentation of improvement in student academic achievement such as successful and sustained remediation of reading, math or science difficulties, and/or evidence of positive impact on additional outcomes (school grades, standardized test results, etc.).
2. **Documentation that the instructional strategies used by the provider are research-based, high quality and designed to increase student academic achievement.**
 - ✓ Acceptable evidence includes documentation of instructor qualifications and the successful implementation of instructional practices based on sound research and/or documented success.
3. **Evidence that services are consistent with the instructional program of the district and state academic standards.**
 - ✓ Acceptable evidence includes alignment of provider's curriculum with the NJ CCCS and state assessments. (The NJCCCS should be researched at: <http://www.nj.gov/education/cccs/>).
4. **Evidence of the capacity to deliver professional services which are consistent with applicable Federal, state, and local health, safety, and civil rights laws [§200.47(b)(2)(iii)].**
 - ✓ Acceptable evidence includes the signed assurances and other requested materials associated with this application, a copy of a NJ Business Registration Certificate from the NJ Department of Treasury, a copy of adequate liability insurance. Current providers may not have on record with the state any unresolved SES Compliance and Safety Investigation Reports.
5. **Evidence that the provider is financially sound.**

All New Jersey Supplemental Educational Service provider applicants must present evidence of fiscal stability as required by NCLB, section 1116(e)(12)(B)(iii) and [§200.47(b)(1)(iii)].

 - ✓ Acceptable evidence includes legal documentation of operating funds which enable the provider to initiate and sustain high quality services to students. Such evidence shall consist of Federal and state tax returns for the last two years (e.g., Form 1120 for for-profits, Form 990 for non-profits) and at least one of the following:
 - Audited financial statements for the last two years.
 - Credit rating from an independent rating agency.
 - Statements from an established financial institution.

C. Per-Pupil Allocations, Provider Fees and Financial Stability

1. The Per-Pupil Allocation

The per pupil allocation (PPA) (located on the NJDOE Title I SES Web page at: <http://www.nj.gov/education/title1/program/ss/max20809.shtml>) reflects the amount that each Title I district must allocate for each child eligible for supplemental educational services.

The PPA for SES is calculated by dividing the district's Title I, Part A allocation by the number of children residing within the district, aged 5-17, who are from families below the poverty level, as determined by the most recent census estimates from the Department of Commerce. Specifically, the per-pupil fee that a district must provide for SES is the lesser of the district's SES per-pupil allocation or the actual cost of SES.

As set forth in Federal law, the district must reserve at least 20 percent of its Title I allocation for choice transportation and/or SES, with *at least* 5 percent reserved for SES. Therefore, the district divides the SES reserve by the PPA to determine how many students may be served. A provider may not refuse to work in a district because the annual PPA is considered low; doing so is cause for immediate withdrawal of approval.

2. Provider Fees

In considering approval of each application, the state weighs potential benefits to students with the need to ensure that quality services are delivered to students. Providers may not impose unreasonable costs or logistical burdens on districts.

Providers may not refuse to serve a district within the service area identified in their application based upon a number of students of 6 or more or the PPA. Verification of a provider's refusal to serve a district for these reasons shall be considered a violation of the assurances associated with this application and will be grounds for the state to remove the provider from the approved SES provider list.

If approved, providers may not apply a sliding fee scale based on the maximum per pupil allocation. All fees must be applied equitably and fairly to all service delivery areas.

3a. Financial Stability

The SES program under NCLB is a reimbursement-based program. Prior to reimbursement for services, initial financial risk is assumed by the provider. The need for fiscal soundness derives from potential risks to stability of student services. Such risks may arise from actual or unexpected challenges that an SES provider may experience in honoring its contractual obligations.

The NJDOE requires evidence of financial stability to insure that each SES provider can achieve sustainability of the initial debt burden and that they have the capacity to professionally and effectively serve students in the following manner:

- Maintain and deliver SES as required under NCLB,
- Procure a curriculum and delivery mechanism aligned with the NJCCCS and the individual learning goals for each student served,

- Procure appropriate educational resources necessary for effective instruction,
- Employ a qualified instructional staff,
- Provide proof of appropriate professional development for staff,
- Comply with the state criminal history requirements for all members of the agency,
- Ensure the means to communicate with students, parents, teachers, districts and the NJDOE,
- Ensure the means to procure and maintain a Business Registration Certificate in the State of New Jersey,
- Obtain and maintain a minimum of \$1 million liability insurance,
- Maintain general operating capital including facilities where appropriate, and
- Secure a safe and appropriate learning environment for service delivery.

All New Jersey SES providers must present evidence of fiscal stability as required by NCLB, Section 1116(e)(12)(B)(iii). Acceptable evidence includes legal documentation of operating funds which enable the provider to initiate and sustain high quality services to students. Such evidence shall consist of Federal and State tax returns for the last two years (e.g., Form 1120 for for-profits, Form 990 for non-profits) and at least one of the following:

- Audited financial statements for the last two years.
- Credit rating from an independent rating agency.
- Statements from an established financial institution.

Applications for inclusion on the *Annual State Approved SES Provider List* are evaluated on the elements listed above and the extent to which an agency or program has the capacity to deliver effective services.

NOTE: *Without exception, failure to provide the required documents referenced above will be cause for disqualification of an application.*

3b. Change in Financial Stability

Financial stability of an approved SES provider shall be determined at the state level in compliance with [§200.47(b)(1)(iii)].

- Should a provider experience a change in financial stability subsequent to approval for inclusion on the state's SES provider list, the provider must notify the NJDOE's SES Coordinator.
- Should a district become aware of a change to an approved SES provider's financial stability, the district must report the information to the NJDOE's SES Coordinator. A district is not authorized to independently use such information as the basis for excluding an approved provider from serving students.
- Should the state become aware of a change in the financial stability of an approved SES provider, the NJDOE will investigate and determine the status of the provider before taking any action.

D. Assurances, Monitoring, and Reporting

The state, in cooperation with the applicable school districts, is required to monitor the quality and effectiveness of the services offered by approved SES providers.

1. Assurances

The monitoring and accountability of SES providers is a process that begins with the state's initial requirements for the application and selection to become an approved SES provider. Accountability includes the timely submission of multiple documents such as the state assurances and concludes each annual project period with the accurate reporting of data. The state assurances are benchmarked with multiple decision points designed to encourage providers to continuously improve the quality of services to students and schools, as well as to ensure an accurate data base of qualified providers to serve the state.

2. Monitoring

The NJDOE annually monitors the performance of approved SES providers as required by NCLB. In partnership with districts that implement SES, the state uses various sources of information to monitor the quality, performance, and effectiveness of services offered by approved SES providers including notices of whether or not a provider has been removed from any state's approved provider list.

The NJDOE annually assesses provider implementation of SES through the following:

1. The Provider Annual Report,
2. District Performance Report,
3. Compliance and Safety Investigation Report Forms,
4. Parental input,
5. Evaluation results regarding the success of the provider's program in raising student achievement,
6. Biennial renewal application,
7. Desk audits,
8. Telephone interviews, and
9. On-site monitoring visits.

3. Annual Report

In the assurance section of this application, SES provider applicants must agree to complete the annual report and submit supporting documentation regarding the efficiency and effectiveness of the educational services that the organization provides to eligible students from September 1 to August 31 of each project year. The document serves as a valuable monitoring tool because it requires elements of self-reflection on practice, as well as a profile confirmation, performance data, and additional provider assurances. Annual completion of the document also serves as one element of consideration for biennial renewal. Timely completion of the annual report is required for continued approval as a New Jersey SES provider.

Annually, approximately three months after the close of the SES service year, providers are required to submit to the NJDOE a final annual report summarizing the progress of all SES students served.

4. Reporting

Providers must also comply with information requests from the NJDOE regarding the investigation of Compliance and Safety Investigation Report Forms. Failure to do so may be cause for immediate suspension and permanent removal from the approved list of state SES providers.

If requested by the NJDOE, the provider must submit a corrective action plan to the State in a timely manner for approval.

Note: A district must continue to offer SES until the school(s) in question is no longer identified in need of improvement, according to the NCLB requirements.

More information about SES provider monitoring and reporting is posted on the NJDOE SES Web site at www.nj.gov/njded/title1/program/ss/.

E. Confidentiality, Proprietary Information, or Trade Secrets

SES provider applications fall under the Open Public Records Act (OPRA). Should an application be requested via OPRA, the NJDOE will redact those portions deemed to be confidential, proprietary, or sensitive financial information. An applicant may provide any justification why specific items should not be disclosed by the NJDOE under the Open Public Records Act referenced in N.J.S.A. 47:1A-1.1. (<http://www.state.nj.us/opra/>). Such justification must be included with the application at time of submission.

F. Withdrawal of State Approval

The state is required to withdraw approval from SES providers that do not, for two years, contribute to increased academic proficiency of the students to whom they provide services. In addition, SES providers are subject to withdrawal if they do not comply with the assurances associated with this application and any monitoring findings. Such requirements may include, but are not limited to:

- Violation of any federal or state laws, regulations, policies or local contracted SES provider agreements.
- Any substantiated report of non-compliance regarding the safety and well being of students.
- Failure to collaborate with parents and schools on the development of Individual Student Learning Plans.
- Failure to actively report student progress to parents on at least a monthly basis.
- Substantiated reports of non-compliance of a regulatory or procedural nature (see Appendix E)
- Deliberate inaccurate submission of information on any state or district/school document.
- Imposing additional provider restrictions on schools, districts, students, or families after state approval.
- False or misleading advertising regarding NJ SES.
- Failure to serve any school within the advertised geographical region pursuant to information within this application.
- Failure to serve students due to low enrollment numbers at a specific school. (The provider may not require a minimum number of students greater than six. Six enrolled students shall constitute required SES services.)

- Failure to serve students at any school/district due to a low per-pupil allocation.
- Failure to provide accurate contact information.
- Failure to submit to the state or district required information by specified timelines.
- Change in financial soundness.
- Change in approved scope of provider services.
- Imposition of additional restrictions upon a school, district, student or family after State approval.

G. Suspension of State Approval

The Department of Education may suspend the recruitment and service delivery activities of an SES provider for the following reasons:

- A provider's failure to submit required information by a specified due date, or
- During an investigation of alleged violations regarding statutory requirements, regulations, ethics, state assurances, state monitoring findings, violations of district administrative procedures for SES providers, concerns for the safety of student, or other reasonable concerns.

Suspension is a temporary status and does not necessarily mean that a provider will be removed from the list of approved SES providers, although removal may be the final outcome of an investigation.

All providers will be offered due process and will be afforded an opportunity to respond to the findings of our investigation.

NOTE: Only the NJDOE may revoke approval of as SES provider's right to serve students: Districts may not act independent of the State in such matters. Districts may not refuse to work with a state approved provider.



SECTION III: CATEGORIES, PURPOSE AND DURATION OF APPROVAL

A. Provider Application Categories

- NEW APPLICANT
- RENEWAL (Approved or renewed in 2007)
- REQUEST CHANGE IN SCOPE OF SERVICES (Currently approved providers not scheduled for renewal)

B. Purpose of the Provider Application Process

Potential SES providers are notified on an annual basis of the opportunity to provide supplemental educational services in New Jersey, and of the procedures by which potential providers may apply to be considered for inclusion on the State-approved list. The application document serves four main purposes. The process serves as:

1. An annual opportunity to inform potential providers on the background, provision and current expectations of quality SES in New Jersey,
2. An opportunity to collect data for review and consideration to approve, and update the qualifications and capacity of potential SES providers,
3. The origin for a list of entities approved to offer SES in New Jersey, and
4. A source for the development of a brief description of the services, qualifications, and demonstrated effectiveness of each approved provider.

The application review process ensures objectivity and meets the intent of Title I, Part A, Section 1116(e) to develop a state-approved list of SES providers.

C. Duration of Services Covered by this Application

For new and renewal applicants, approval of this application covers the project period of September 1, 2009 – August 31, 2011.

Approved applications requesting a change in the scope of providers' services will cover the remaining time of the provider's initial approval period.

All approved providers are required to complete an annual report and submit additional documentation including an assurance page to remain in good standing and retain approved status.

Approval may be revoked during this project period by the NJDOE for cause.



SECTION IV: FILING THE APPLICATION

A. Narrative questions

- No material beyond what is specifically requested in the application is considered in the review process.
 - Do not exceed the page limit listed for each section. (Support documents and examples should only be attached if requested.)
1. Format and presentation of the application:
- ✓ When completing the application use single space and twelve-point font.
 - ✓ In the footer, add the name of the applicant agency/district. If a renewal or change of scope, include the provider number assigned by NJDOE.
 - ✓ Print the completed application, one sided, on 8 1/2 x 11 three hole punched white paper.
 - ✓ When assembling the finished document:
 - a. Place the original and two copies in loose-leaf binders, with each section separated by inserting tabbed dividers with each section clearly identified;
 - b. Insert a copy of the Provider Profile in the clear slip sheet of the cover.
 - c. Limit necessary attachments to no more than will fit into a 2" binder.

DO NOT PERMANENTLY BIND THE APPLICATION OR RELEVANT ATTACHMENTS.

B. A complete application packet for a new applicant or the renewal for a current applicant must include:

- ✓ Provider Profile (Part I of the Application).
- ✓ Provider Program Proposal (Part II of the Application).
- ✓ Provider Assurances (Part III of the Application).
- ✓ Requested attachments.

Note: Renewal applications are not guaranteed approval.

C. Current providers requesting change in scope of services must submit:

- ✓ Completed Provider Profile (Part I of the Application).
- ✓ Written justification for the change request, *not to exceed one page*.
- ✓ Completed Provider Assurances (Part III of the Application).
- ✓ Proof of current liability insurance.

D. Application Evaluation and Rating

Incomplete applications are not considered for review, and will not be approved. No material beyond what is specifically requested in the application is considered in the review process. A review panel evaluates and scores the completed eligible application based upon the quality and completeness of the narrative questions and the requested attachments. Quality is determined using a scaled criterion that assigns point values as demonstrated in the application. All applications either new or renewal are evaluated using the same criteria. See Appendix C for additional information on the SES Provider Application Scoring Process.

E. Timeline

One original and two copies of the application and any attachments **must be received by 12:00 NOON EST on Friday, February 27, 2009**. Applications must be addressed or delivered to:

*New Jersey Department of Education
Application Control Center
100 River View Plaza
Trenton, New Jersey 08511

or

New Jersey Department of Education
Application Control Center
P. O. Box 500
Trenton, New Jersey 08625-0500

Any applications (new, renewal or requests for change in scope) received at the NJDOE after the DEADLINE OF 12:00 NOON Thursday, February 27, 2009 will NOT be considered. Faxed applications are not permitted.

- The *complete* application must be received by the deadline.
- It is the responsibility of the applicant to ensure and verify that the mailed application is submitted by the deadline. Keep your receipts.
- Include only the information requested and answer all questions thoroughly. Additional binders, special covers, marketing materials, etc., will not be reviewed to determine if a provider meets the criteria. Reviewers will not check Web sites to verify or review documentation. All relevant supplemental materials must be incorporated into the application. No exceptions.

* Physical Address of Building for delivery services

F. Applicants Who Are Not Approved

Applicants who are not approved will be notified in writing. Applicants may request their average rating scores based upon the review criteria. This request must be made in writing within 30 days of the date of the NJDOE notification sent to the applicant. Applicants not approved may apply again during the next application cycle.

The NJDOE notifies all applicants of the status of their applications. Applicants are not considered approved unless officially notified of approval on NJDOE letterhead.

G. Technical Assistance

To assist prospective applicants, the DOE will provide a technical assistance session for the purpose of providing information on 1) the application process, 2) the background and provision of SES, and 3) the State's monitoring and reporting expectations.

The information session will be held Wednesday, January 14, 2009 (snow day Monday, January 26, 2009) at the New Jersey Department of Education, 100 River View Plaza, Trenton, New Jersey. Attendees must register in advance on-line at <http://education.State.nj.us/events>.

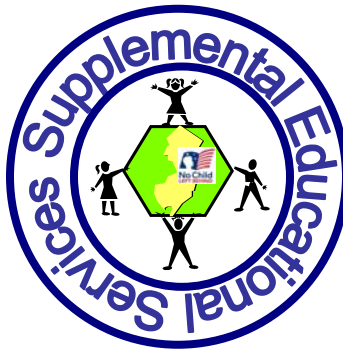
- New and Renewal Applicants: Technical assistance for prospective "new" and "renewal" providers will begin with registration at 8:30 a.m. The information session will run from 9:00 a.m. – noon.
- Lunch on your own.
- Special Session: The afternoon technical assistance, which is not mandatory, will begin with registration at 1:00 p.m. The information session will run from 1:30 p.m. – 3:30 p.m. The topic will be focused on the NJ Core Curriculum Content Standards and the successful SES program.

A list of current providers who are required to renew their approval in order to continue providing SES to NJ students is available on page 5 of this application or at <http://www.nj.gov/njded/title1/program/ss/search.shtml>.

Note: The New Jersey Department of Education reserves the right to re-open the application period or extend the current deadline. NJDOE reserves the right to request additional information from an applicant. NJDOE reserves the right to protect the integrity of the application process. NJDOE reserves the right to accept or reject for cause any or all proposals, in whole or in part, received in response to this notice. NJDOE reserves the right to waive or correct minor irregularities and to conduct discussions with qualified applicants in any manner necessary to serve the best interest of the students, schools, districts and parents. Applicants who submit proposals may be required to make presentations to NJDOE representatives in order to clarify their proposals.

NEW JERSEY SES PROVIDER APPLICATION

Service Period Beginning September 1, 2009



Due: Before Noon on February 27, 2009

APPLICATION PART I: PROVIDER PROFILE

Type of Application:

- ☐ NEW APPLICANT
- ☐ RENEWAL (Approved or renewed in 2007)
NJDOE Provider Number: _____
- ☐ REQUEST CHANGE IN SCOPE OF SERVICES (Currently approved providers not scheduled for renewal who wish to add, delete or revise services)
NJDOE Provider Number: _____

Section A: Provider Identification/Contact Information

Provider name:

Name as it should appear on the
approved provider list:

Mailing Address:

City, State, Zip:

Physical Location Address:
(If different from above) City, State, Zip:

Primary contact:

Primary contact title:

Primary contact phone:

Primary contact fax:

Primary contact email:

Secondary contact:

Secondary contact title:

Secondary contact phone:

Secondary contact fax:

Secondary contact email:

NOTE: The New Jersey Department of Education (NJDOE) will not communicate with anyone other than the parties listed as primary and secondary contacts. It is the provider's responsibility to communicate any and all vital SES information with interested parties, staff, attorneys, parents, etc.

Type of Provider (select all that apply):

- | | |
|--|---|
| <input type="checkbox"/> Non-profit/Community agency | <input type="checkbox"/> Four-year college/university |
| <input type="checkbox"/> Public school (non-charter) | <input type="checkbox"/> For-profit/private company |
| <input type="checkbox"/> Charter school | <input type="checkbox"/> On-line school |
| <input type="checkbox"/> Private/parochial school | <input type="checkbox"/> Family Literacy Program/Even Start Program |
| <input type="checkbox"/> Individual | <input type="checkbox"/> Educational Services Commission |
| <input type="checkbox"/> Child care center | <input type="checkbox"/> Faith-based organization |
| <input type="checkbox"/> Library | |
| <input type="checkbox"/> 21 st Century Center | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Two-year college | |

Note: Providers who are part of a franchise operation must apply separately. New Jersey requires that each "legal entity" submit an independent application. In most cases, this means that each franchise must apply separately. See Appendix D for definition of "legal entity."

Section B: Geographic Service Area

If approved, to be included on the NJ Annual State Approved SES Provider List all applicants must complete the selection of counties and districts where the provider wishes to operate.

- ☐ **ALL OF NEW JERSEY**
(Making this selection means that the provider has the capacity to service every eligible district in the state.)
- ☐ **SELECT COUNTIES**
(Making this selection means that the provider has the capacity to serve every eligible district in the selected counties.)
- ☐ **SELECT DISTRICTS**
(Making this selection means that the provider has the capacity to serve the eligible districts.)

NOTE: The integrity of an SES provider's profile information is a priority because it is used by parents and districts to identify appropriate tutoring services for their students. Verification of a provider's refusal or inability to service a district listed within the scope of services listed on the profile is cause for removal from the list of approved SES providers. On an annual basis, providers may apply to the state for a revision to their profile (This is referred to as a change in scope).

Select county(ies) and district(s) that this application covers:

Identify specific counties	List specific school districts
<input type="checkbox"/> Atlantic County	
<input type="checkbox"/> Bergen County	
<input type="checkbox"/> Burlington County	
<input type="checkbox"/> Camden County	
<input type="checkbox"/> Cape May County	
<input type="checkbox"/> Cumberland County	
<input type="checkbox"/> Essex County	
<input type="checkbox"/> Gloucester County	
<input type="checkbox"/> Hudson County	
<input type="checkbox"/> Hunterdon County	
<input type="checkbox"/> Mercer County	
<input type="checkbox"/> Middlesex County	
<input type="checkbox"/> Monmouth County	
<input type="checkbox"/> Morris County	
<input type="checkbox"/> Ocean County	
<input type="checkbox"/> Passaic County	
<input type="checkbox"/> Salem County	
<input type="checkbox"/> Somerset County	
<input type="checkbox"/> Sussex County	
<input type="checkbox"/> Union County	
<input type="checkbox"/> Warren County	

Service Facility: *[Check the location(s) that best describes where services will be delivered]*

- | | |
|---|---|
| <input type="checkbox"/> School | <input type="checkbox"/> Provider's home |
| <input type="checkbox"/> Business | <input type="checkbox"/> Student's home |
| <input type="checkbox"/> Community center | <input type="checkbox"/> Site owned or operated by a faith-based organization (e.g., church, synagogue, mosque, temple) |
| <input type="checkbox"/> On-line | <input type="checkbox"/> Other (explain) _____ |

Transportation

Will transportation be provided by your agency? Yes _____ No _____ Radius: _____

Section C: Academic / Instructional Information

Program description: *[Indicate which keywords best match your program's offerings.]*

- | | |
|---|--------------------------------------|
| <input type="checkbox"/> Language Arts Literacy | <input type="checkbox"/> Mathematics |
| <input type="checkbox"/> Reading | <input type="checkbox"/> Science |
| <input type="checkbox"/> Other: _____ | |

Grade levels served: *[Check all that apply.]*

- | | | |
|----------------------------------|----------------------------------|-----------------------------------|
| <input type="checkbox"/> Grade 1 | <input type="checkbox"/> Grade 5 | <input type="checkbox"/> Grade 9 |
| <input type="checkbox"/> Grade 2 | <input type="checkbox"/> Grade 6 | <input type="checkbox"/> Grade 10 |
| <input type="checkbox"/> Grade 3 | <input type="checkbox"/> Grade 7 | <input type="checkbox"/> Grade 11 |
| <input type="checkbox"/> Grade 4 | <input type="checkbox"/> Grade 8 | <input type="checkbox"/> Grade 12 |

Note: The provider may not require a minimum number of students greater than six at any one school/district. Six eligible students who are in need of SES and whose parents have selected the provider based upon the provider's inclusion on the State's approved provider list shall constitute a requirement to provide SES services. Should a provider fail to comply with this policy, the State shall have just cause to immediately withdraw the provider from the State list.

In order for providers to be approved to deliver SES, the federal requirements include a "demonstrated record of effectiveness of contributing to student achievement." Therefore, applicants must have experience working with students.

Number of students served in 2008-2009 _____

If approved, maximum number of students able to serve in 2009-2010 _____

If approved, maximum number of students able to serve in 2010-2011 _____

Student sub-populations served: *Check all that apply.*

- | | |
|---|--|
| <input type="checkbox"/> Ethnic/racial minorities | |
| <input type="checkbox"/> English Language Learners: indicate particular language(s) _____ | |
| <input type="checkbox"/> Migrant students | |
| <input type="checkbox"/> Students with disabilities | |
| <input type="checkbox"/> Other: | |

Times available for service: Check the time(s) that best describes when you will deliver services to students.

- | | | | |
|--|---|---------------------------------------|---------------------------------|
| <input type="checkbox"/> Before school | <input type="checkbox"/> Weekends/school holidays | <input type="checkbox"/> After school | <input type="checkbox"/> Summer |
|--|---|---------------------------------------|---------------------------------|

Note: If your program exceeds three consecutive hours on any given day, you must submit with this application, a schedule depicting what occurs during that timeframe. Only the portion of time dedicated to SES/tutoring is an allowable charge. For example, if tutoring occurs at an established after-school program or during the morning portion of an all-day summer program that includes recreation, or snack time, etc., only the tutoring portion is an allowable SES charge

Specific days of the week instruction will be provided: *Check all that apply.*

- ☐ Monday ☐ Tuesday ☐ Wednesday ☐ Thursday ☐ Friday
☐ Saturday ☐ Sunday ☐ Summer ☐ Holidays

Describe how SES services are generally scheduled: All providers must schedule services based upon student needs. The number of tutoring sessions and length of sessions should be discussed and arranged with parents/families during the development of the Individual Student Learning Plan. *Districts may not dictate this information*

Number of sessions per week:	
Number of hours per session:	
Number of weeks in the program:	

Student/instructor ratio: List the ratio of students to instructors in the program. Student/instructor ratio may not exceed 12:1.

___ Students for every 1 instructor in large group instruction ___ Student for every 1 instructor in small group instruction

Mode of instructional delivery: Check all methods of instructional delivery that you offer or plan to offer students.

- ☐ Direct individual tutoring (1 Student per tutor) ☐ On-line/Web-based individual tutoring
☐ Direct small group instruction (3-5 Students) ☐ On-site computer-based group tutoring
☐ Large group instruction (6 - 12 Students) ☐ Other: _____

Note: The NJDOE requires that all instructional staff have minimum qualifications of 60 college credits or an Associate's degree. However, the NJDOE highly recommends that providers hire individuals with teaching experience and/or professional training that provide the knowledge and skills to ensure high quality instruction aligned with the instructional program of the district and the NJ Core Curriculum Content Standards. SES providers should hire the most qualified instructors available.

Minimum education level of tutors: (Check all that apply)

- ☐ 60 college credits or an Associates degree ☐ Certified teacher
☐ College graduate ☐ Other; please specify: _____

Method and frequency of communication used to report progress to parents:

Method	Frequency
Reports	
Meetings	
Phone Conferences	
Other Communications (specify)	

Method and frequency of communication used to report progress to the school/district:

Method	Frequency
Reports	
Meetings with Teacher	
Phone Conferences	
Other Communications (specify)	

RESTRICTIONS

Complete this section carefully. This information is used to inform parents/districts of any provider limitations prior to signing agreements. Providers should remain flexible prioritizing student needs rather than offering a "one-size-fits-all" standardized tutoring program. Samples of restrictions might be: The agency needs to use school facilities to deliver services; If the agency can only provide service to (specific geographic areas); The agency does not provide instruction in a second language, etc.

Restrictions **must** be included in the application. No restrictions may be imposed on schools, districts, students, or families that are not cited in the application. Should additional restrictions be imposed by a provider after state approval, the action shall be considered just cause for removal from the state's approved SES provider list.

Requirements or limitations:

Section D: Recruitment

All approved providers are required to adhere to the EIA Code of Professional Conduct and Business Ethics for Supplemental Educational Services Providers (Appendix A). As such, providers should become familiar with the code and ensure that all agency practices, including recruitment strategies, are consistent with the code of ethics. (i.e., providers may **NOT** obtain district enrollment forms and fill in the agency's name; providers may **NOT** offer incentives to parents and students to influence enrollment in the program, etc.). If an approved provider violates the EIA Code of Professional Conduct they may be removed from the approved provider list.

NOTE: Providers will be held responsible for the actions of their employees/representatives when recruiting, attending school/district functions, etc. The unethical actions of the representatives of an agency may be grounds for termination of the agreement between the agency and state and cause for immediate removal from the NJ SES approved provider list.

Describe below the actions (recruitment policy, hiring and training of employees, etc.) that your agency will take to adhere to the EIA's guidelines when recruiting students: (Maximum 300 characters including spaces)

Section E: Statement Of Qualifications And Effectiveness

Statement of Qualifications and Effectiveness: (Maximum 300 characters including spaces)

Current providers requesting profile/scope changes do not need to complete this item if there are no changes to the statement.

New applicants must provide evidence that the program design is a high quality research-based program with documented student academic growth.

Applicants for renewal must update their statement of qualifications and effectiveness to reflect the most recent data collected.

Section F: Provider Fees

Fee/Cost structure: Fees must be listed on a per-student/per-hour basis and may include a reasonable cost range per hour. Explain any variations in fees (i.e., 1:1 tutoring cost per hour vs. small groups or large group tutoring cost per hour). **Fees** must include all costs (including assessment costs) to provide the agency's proposed SES program to each child, according to that individual child's achievement plan, and **must be consistently applied to all districts served**.

(When considering approval of each application, the State weighs potential benefits to students against the need to ensure effective delivery of services to students. Therefore, providers should not impose unreasonable costs or logistical burdens on schools/districts.)

Section G: Provider Registration And Liability Information

Registration with the NJ Department of Treasury

Confirmation of registration with the NJ Department of Treasury must be received by NJDOE prior to placement on the state-approved list. Refer to Appendix G.

Federal EIN/Social Security # _____

Evidence of Business Registration Certificate Attached: ☐ YES ID# _____

Copies can be downloaded from the New Jersey Department of Treasury, Division of Revenue On-line Inquiry Web site at: https://www1.State.nj.us/TYTR_BRC/jsp/BRCLLoginJsp.jsp

Note: Districts and high-performing schools that apply to be providers do not have to provide this documentation.

Evidence of Liability Insurance

All applicants/providers must submit proof of adequate liability insurance (a minimum \$1,000,000). Providers **must** enclose a copy of the policy cover page depicting amounts per incident and per occurrence.

Evidence of Liability Insurance Attached: ☐ YES Comment:

APPLICATION PART II: PROVIDER PROGRAM PROPOSAL

Note: Provide complete and clear responses to all narrative sections. Attach appropriate support material only when relevant. Be advised that **reviewers will *not* search on-line for program information**. Therefore, applicants must provide relevant materials with the application. If an application is not approved, additional materials (for the purpose of clarification or corroboration) will not be accepted.

Section A: Program Design and Alignment with State Standards and Curriculum

(Limit 4 pages) MAXIMUM SCORE: 40 POINTS

The application will be evaluated on the extent to which you **clearly and specifically** describe your program's **connection and alignment to the New Jersey Core Curriculum Content Standards (CCCS) and the district's instructional programs**. A statement assuring alignment is not acceptable. For more specific information on the NJCCS see the state's Academic Standards Web site at www.nj.gov/njded/aps/cccs. **(It is not possible to be approved if this section is poorly developed.)**

If the applicant is a high-performing school not designated as a "school in need of improvement", indicate how the proposed SES program reflects the high-performing school's unique instructional philosophy and academic content.

Each response must be clearly labeled with the section header and the number of the corresponding question. Describe in detail the nature of the academic services that will be provided:

1. Describe how the services offered are aligned with language arts literacy, reading, science and mathematics standards as outlined in the NJ CCCS. Cite examples of specific standards and elements of the program. (15 points)
2. Demonstrate a clear link between the academic program that a student experiences during the regular school day and the instruction of the SES program provided. Explain how your program complements the district's prevailing instructional program. (15 points)
3. Describe specific methods and strategies for serving eligible students from special populations such as students with learning disabilities, English Language Learners, etc. (5 points)
4. Describe the organizational structure of service delivery (location, supervision, staff). In this section, include a typical schedule for SES. The schedule must be included for any program that exceeds three consecutive hours of instruction in one time period. (Do not include "snack time".) (5 points)

Section B Evidence of Links between Research and Program Design

(Limit 1 page) MAXIMUM SCORE: 10 Points

Explain how the key instructional practices and major program elements are (1) high quality, (2) based on research, and (3) specifically designed to increase student academic achievement. Major design elements may include, but should not be limited to mode of instruction, staff/pupil ratio, mastery learning, time on task, etc.

Research citations must be included.

Section C Evidence of Effectiveness

(Limit 3 pages) MAXIMUM SCORE: 35 POINTS

Without exception, all applicants ***must*** provide a clear, concise narrative including evidence of program effectiveness in improving student's academic achievement. (Graphs, charts and data tables are more effective than unspecified text.)

Note: New and renewal applications will be evaluated on the extent to which there is a **demonstrated record of effectiveness in improving students' academic achievement**. Weighted consideration is given to evidence of positive impact on student achievement measured by state and district assessments. Evidence of positive impact on additional outcomes (e.g., school grades, family/parent satisfaction, student discipline, student attendance, and/or retention/promotion rates) is also considered as well as provider conducted studies, data on student outcomes, and other sources of evidence. Please note that priority will be given to third-party, independent research. (See the USDOE Web site on "Doing What Works" for more information on evidence of effectiveness at <http://www.ed.gov/nclb/methods/whatworks/edpicks.jhtml>.)

Each response must be clearly labeled with the section header and the number of the corresponding question:

1. Provide evidence that the program has had a positive impact on student achievement as demonstrated through a State, district, and/or other independent, valid, and reliable performance test, particularly for low-income, underachieving students. Other forms of evidence will also be considered such as:
 - (a) Evidence that the program has a positive impact on student performance using a measure that is not a national or statewide instrument (i.e., a test you developed) OR using school grades, homework completion, or school/teacher administered subject area tests;
 - (b) Letters of reference from students, parents, administrators or other district personnel.
 - (c) Additional evidence of improved outcomes, such as student attendance, retention/promotion rates, graduation rates, family/parent satisfaction, and/or student behavior/discipline rates. In all cases, cite research studies done on your program and provide specific support data. (20 points)
2. Provide specific evidence that the program has accelerated the academic achievement of sub groups such as students with disabilities, students from ethnic/racial minorities, English Language Learners, and other special populations. (10 points)
3. Describe how the organization is using data and other information collected to continuously improve the tutoring program. Explain any adjustments that were made to your program since it was originally approved and how the changes improved your program. (5 points)

Section D Assessment and Progress

(Limit 1 page not including the space below) MAXIMUM SCORE: 15 POINTS

The application will be evaluated on the extent to which you clearly describe the specific assessment programs and practices used to diagnose a student's needs, prescribe an instructional program to meet that student's needs, and evaluate and monitor that student's progress towards clearly identified goals. Your description should address all of the following indicators.

Each response must be clearly labeled with the section header and the number of the corresponding question:

1. Describe the specific process used to assess/diagnose student needs and identify skills or knowledge gaps. List specific diagnostic tests if applicable. *(5 points)*
2. Describe the specific process used to evaluate, monitor, and track student progress on a continuous and regular basis. *(5 points)*
3. Describe the process of utilizing an Individual Student Learning Plan to prescribe an effective instructional program. Based on individual student needs, performance goals and a timetable for achievement gains provide a sample instructional plan. *(5 points)*

Section E Communication with Parents and Schools

(Limit 1 page not including the space below) **MAXIMUM SCORE: 10 POINTS**

The application will be evaluated on the proposed process of engaging parents/families and schools/teachers in the development of the Individual Student Learning Plans and the process of providing student progress reports to parents/families and schools. Quality indicators will include, but not be limited to: consistency, relevancy to the Individual Student Learning Plan and the extent to which your program actively provides a meaningful process for sharing information and inviting support for student achievement.

Describe the specific procedures used to report student progress to parents, teachers, and appropriate school district staff. Attach a sample Individual Student Learning Plan and a student progress report.

Each response must be clearly labeled with the section header and the number of the corresponding question:

1. Describe how the school, parents and your agency work together to develop the Individual Student Learning Plan and how use of the plan helps students to meet their academic goals.
2. Explain how student progress is actively communicated to parents, teachers and appropriate district staff in accordance with confidentiality provisions as set forth in NCLB. (Posting on a Web site is not acceptable communication to parents who may not have or know how to use a computer.)

Note: Any samples provided must be clearly marked as attachments and included at the end of the application.

Section F Qualifications of Instructional Staff and Professional Development

(Limit 1 page not including the space below) MAXIMUM SCORE: 10 POINTS

The application will be evaluated on evidence of employment of qualified instructional staff (*at a minimum 60 college credits or an associate's degree*) and a demonstrated commitment to the provision of ongoing professional development and improvement of services. Quality indicators will include, but not be limited to evidence of:

- The years and level of work experiences, particularly teaching Title I students;
 - The highest degree attained by each staff member;
 - Certification/licensing of staff, and/or
 - The amount and quality of training provided to program staff
- Explain the process by which qualified supervisory and instructional staff members are selected.
 - Explain how staff is trained to work with a diverse student population, e.g., English Language Learners, migrant, homeless, and students with disabilities.
 - Outline the professional development provided to staff for the purpose of increasing the effectiveness of instruction and staff's knowledge of CCCS and instructional strategies.

Note: Indicate if the proposed program is an outgrowth of a high-performing school design (not designated as a "school in need of improvement") and indicate if applicable, whether professional development reflects the professional development plan of that school.

Section G Discipline, Health and Safety

(Limited to 2 pages not including the space below) MAXIMUM SCORE: 20 Points

The application will be evaluated on evidence that the program complies with federal, state, and local health and safety standards and that your agency has a plan to address discipline problems and emergency situations to ensure the safety of students while in the program.

Each response must be clearly labeled with the section header and the number of the corresponding question:

1. Explain in detail the student discipline policy. Describe any policies, resources available for teachers, and how parents and classroom teachers are engaged with any student difficulties. *(4 points)*
2. Describe the plan for emergency situations or temporary suspension of service such as fire, severe weather, or other disasters. Include emergency exit plans and notification procedures for emergency closure. *(3 points)*
3. Explain the process used by the agency to conduct and document criminal background/fingerprinting checks before hiring employees. Include if applicable the process used to secure documentation from districts when employing district staff. In addition, where appropriate, indicate whether employees are bonded and identify any other background checks used. *(5 points)*
4. Provide evidence of a student attendance policy. Describe the student sign-in procedure as well as the process for notification of student absences. *(3 points)*
5. Provide evidence of safe facilities for SES use. *(5 points)*

Required documentation: If using the agency's own facilities, or any facility other than an approved school building, you must provide a copy of the following for each facility:

- a. Certificate of occupancy.
- b. Current annual inspection report from the local fire officials approving use of the facility.
- c. If providing snacks, current annual inspection report from the local health official approving use of the facility.

If the agency uses facilities other than its own, describe how the agency ensures that the location and facilities are safe.

Section H Evidence of Financial Capacity

Attention School Districts: Submit the most recent financial audit conducted on behalf of the school district by an independent Certified Public Accountant (CPA) instead of the information requested in this section.

Renewals: Evidence of financial capacity was requested as part of the 2008 SES Provider Annual Report (2007-2008 Service Period). Applicants who neglected to submit evidence of financial capacity will receive point deductions from their final score.

The application will be evaluated on the extent to which your agency has the financial capacity to deliver effective services. All New Jersey SES providers must present evidence of fiscal stability as required by NCLB, Section 1116(e)(12)(B)(iii).

Required evidence shall consist of Federal and State tax returns for the last **two years** (e.g., Form 1120 for for-profits, Form 990 for non-profits) and at least **one** of the following:

- Audited financial statements for the last two years.
- Credit rating from an independent rating agency.
- Statements from an established financial institution.

In addition, in order to support a claim of sound fiscal management one of the following documents should be submitted:

- Annual report describing the agency's major business activities.
- Business plans or company profiles.

Other Financial Related Matters

1. Briefly describe how you will fund the start up operations of the business. (School districts often take 60 to 90 days from the date of service to pay bills and SES providers must be able to meet payroll and taxes during this time frame.)
2. NJDOE has consulted with the New Jersey Department of Labor regarding the hiring of staff to provide SES services. Payment of all individuals is deemed to be "wages" and not "independent contractor payments." This issue impacts tax withholdings and NJ SES providers must comply with this provision. How does your agency comply or what modifications will you make in order to comply?
3. Please describe:
 - a. How you recruit staff, and
 - b. Any personnel policies.

APPLICATION PART III: ADDITIONAL SCORING FOR RENEWAL APPLICATIONS ONLY

For renewal applications only:

- Five points will be added to the final score if your organization completed the 2007-2008 SES Provider Annual Report and it was submitted on time.
- Ten points will be deducted from the final score if the 2007-2008 Provider Annual Report was not submitted on time or was incomplete.
- Five points will be added to the final score if the provider attended the 2008 TA session held at Mercer County Community College Conference Center, July 16, 2008.

REMINDER

All applications must be received no later than Noon on February 27, 2009, at the following address:

New Jersey Department of Education
Application Control Center
100 River View Plaza
P.O. Box 500
Trenton, New Jersey 08625-0500

For additional information or questions, e-mail SES@doe.state.nj.us.

APPLICATION PART IV: PROVIDER ASSURANCES

The following assurances are required of all New Jersey SES providers.

As the duly authorized representative of this applicant, I certify compliance with all of the following assurances:

1. Provider has never been removed from the SES Approved Provider list of New Jersey or any other state.
2. Provider agrees to abide by the USDOE Supplemental Educational Services Non-Regulatory Guidance found at: <http://www.ed.gov/policy/elsec/guid/suppsvcsguid.doc>
3. Provider agrees to comply with policies as described by the Education Industry Association Code of Professional Conduct and Business Ethics for Supplemental Educational Services Providers at www.ksde.org/sfp/nclb/code_of_standards_and_ethics_11_15_05.doc.
4. Provider is aware that failure to comply with the above Industry Association Code of Professional Conduct and Business Ethics for Supplemental Educational Services Providers, after due process, will result in suspension and/or removal from the NJDOE list of approved providers immediately.
5. Provider agrees to maintain adequate liability insurance for the term of SES approval.
6. Provider ensures that the instruction and content of the SES program are consistent with the instruction provided, and content used by, the local educational agency and State, and are aligned with New Jersey Core Curriculum Content Standards (NJCCCS) in language arts literacy, mathematics and/or science. A copy of the NJCCCS can be found at: <http://www.nj.gov/education/aps/cccs/>
7. Provider assures all services are provided outside of the regular school day.
8. Provider agrees to supply, at a minimum, monthly academic achievement progress reports, as well as an annual report summarizing student progress upon completion of services to parents/families and to the students' school district. Reports to parents will be in a format and to the extent practicable, in a language, or other mode of communication that the parent can access and understand.
9. Provider collaborates with the school and parents/family to develop an Individual Student Learning Plan (ISLP) as a guide to providing appropriate services for the student.
10. Provider involves parents/guardians in developing the needs assessment for the student, developing a plan of services, and exchanging information on the progress of the student.
11. Provider ensures the confidentiality of students' needs and progress, and shares this information only with parents/guardians and appropriate school personnel.
12. Provider does not disclose to the public the identity of any student who is eligible for, or receiving, supplemental educational services without the written permission of the parents/guardians of the student.
13. Provider ensures that the staff providing direct instruction to students is qualified and has at least 60 college credits or an associate's degree.
14. Provider ensures that all staff will be required to participate in at a minimum three documented professionally delivered professional development experiences, not to include organizational orientation.
15. Provider is fiscally sound and will complete services to the eligible student.
16. Provider does not impose additional admission criteria on eligible students.
17. Provider provides or secures a healthy, safe, and clean environment in which to serve students.
18. Provider follows the procedure for registering eligible students set forth by the school district.
19. Provider agrees to uphold all applicable Federal, state, and local health, safety, and civil rights laws.

20. Provider delivers instruction and content that is secular, neutral, and non-ideological.
21. Provider assures that eligible students with disabilities and eligible students with limited English proficiency have equal access to services offered by the organization.
22. Provider assures that supplemental educational services are available in locations accessible to individuals with disabilities, to the extent required by section 504 of the Rehabilitation Act of 1973 (29 U.S.C. §794) and the Americans with Disabilities Act (42 U.S.C. §§12101 et seq.).
23. Provider assures that all individuals employed by, or otherwise associated with, the organization, including but not limited to the owner/operator, secretaries, tutor, volunteers, janitors, etc., are subject to all of the fingerprint and criminal history record check requirements as mandated pursuant to N.J.S.A. 18A-6-7.1 et seq., N.J.S.A.39-17 et seq., or N.J.S.A.18A: 6-4.13 et seq.
24. Provider agrees to maintain and have available for inspection by NJDOE monitors a complete file on all personnel employed by the agency (including those hired from the district) to include proof of criminal background check, evidence of professional development and any other documentation deemed appropriate.
25. Provider agrees to abide by all of the conditions of the contract entered into with the district including, but not limited to the fees, reporting requirements, etc., in compliance with NCLB Section 1116(e)(6)(A)(B).
26. Provider agrees to comply with the New Jersey Department of Education's policy with regard to the use of incentives by supplemental educational services providers as described by the Education Industry Association/Code of Professional Conduct and Business Ethics for Supplemental Educational Services Providers at http://www3.ksde.org/sfp/nclb/code_of_standards_and_ethics_11_15_05.doc.
27. Provider includes with this document all relevant information necessary for clear review and understanding of the proposed SES program and provider further understands that appeals to the decision of the State are limited to procedural issues only. Provider understands that any procedural appeals must be submitted within 60 calendar days of the date of the notification document.
28. Provider agrees to abide by the information in this document.

The undersigned hereby certifies that I am an individual authorized to act on behalf of the organization in submitting this application and assurances. I certify that all of the information provided herein is true and accurate, to the best of my knowledge. I understand that, if any of the information contained herein is found to have been deliberately misrepresented, that may constitute grounds for denying the applicant's request for approval to be placed on the New Jersey List of Approved Supplemental Educational Services Providers or for removal from that same list. I further certify that the organization will comply with all the assurances set forth herein.

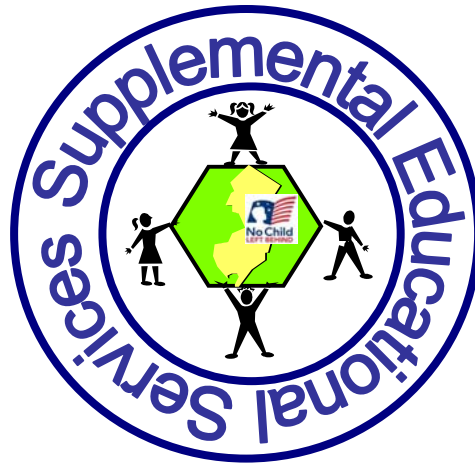
Name of Organization:
(PLEASE PRINT/TYPE)

Name of Authorized Representative:
(PLEASE PRINT/TYPE)

Signature of Authorized Representative:

Title of Authorized Representative:
(PLEASE PRINT/TYPE)

Date Signed:



APPENDIX

APPENDIX A



Code of Professional Conduct and Business Ethic for Supplemental Educational Services Providers

Amended January 8, 2008

This revised code of ethics, as adopted by the EIA Board of Directors, shall become effective January 8, 2008.

SES Providers (and other education service providers) operate in an environment that touches communities, school officials, parents, students and other providers. The importance of the activities and complexity of the interactions make it paramount that EIA member organizations adhere to the highest standards of professional conduct and business ethics. In its role of providing critical leadership to the education industry, both public and private, EIA has adopted this voluntary code to describe key organizational behaviors and policies that will guide its member companies and others.

High quality educational programs delivered by trained professionals represent the core value that is to be reflected throughout all of our partnerships with schools, parents and students. The following structure represents the collective judgment of what constitutes ethical behavior. EIA members are committed to using it to guide decision-making and performance at all levels of their organizations—from the CEO to the employee in the classroom. Accountability for achieving desired results consistent with these guidelines and standards is the ultimate benchmark upon which EIA member service providers will be judged.

We encourage States and Local School Districts to adopt these guidelines into their governance, contractual and oversight systems and apply all appropriate sanctions when the guidelines have been breached.

EIA Compliance Procedures:

1. EIA will develop educational materials on these standards for use by providers, States and school district personnel. These materials will be distributed to members and non-members alike for their incorporation into their internal staff development procedures.
2. All EIA members will sign a statement acknowledging their acceptance of these standards. EIA will maintain a list of signers on its website for the public to review.
3. When a State or School District completes an investigation and has a finding that a breach of these guidelines has occurred, EIA may issue its own censure, suspend or terminate the membership status of the Member. Before EIA acts, it will discuss the matter with the party and offer the party the opportunity to present its information to an ad hoc committee of the Board of Directors.

GENERAL GUIDELINES

In the conduct of business and discharge of responsibilities, Providers commit to:

1. Conduct community outreach and student recruitment and to serve students fully consistent with the terms of their state-approved application and all state and local policies.
2. Conduct business honestly, openly, fairly, and with integrity.

3. Comply with applicable laws, statutes, regulations and ordinances.
4. Avoid known conflict of interest situations.
5. Never offer or accept illegal payments for services rendered.
6. Apply these guidelines and standards throughout the company by insuring all employees understand them and act accordingly.
7. Refrain from publicly criticizing or disparaging other providers.
8. In the case of any conflict, first attempt resolution directly with each other. However, the parties involved may ask EIA to help mediate potential disputes.
9. Comply with the confidentiality and non-disclosure provisions of all applicable federal, state and local laws, including those relating to student identity, records, reports, data, scores and other sensitive information.
10. Be factual and forthright in reporting and documenting attendance rates, effectiveness of their programs, and in explaining the theoretical/empirical rationale behind major elements of its program, as well as the link between research and program design.
11. Take appropriate corrective action against provider employees, consultants or contractors who act in a manner detrimental to the letter or spirit of this code.
12. Take immediate steps to correct any actions on its part that willfully or inadvertently violate of the letter or spirit of this code.

STANDARDS SPECIFIC TO SES

EIA Members will consistently implement the NCLB Supplemental Services provisions and promote full access to SES services. To that end,

Providers Shall:

1. **Not** compensate school district employees personally in exchange for access to facilities, to obtain student lists, to assist with marketing or student recruitment, to promote enrollment in a provider's program at the exclusion of other providers, to obtain other similar benefits for their SES program, or for any illegal purpose.
2. **Not** employ any district employees who currently serve the districts in the capacity of Principal, Assistant Principal, or school or district SES Coordinator.
3. **Not** employ any individuals, including teachers, parents or community leaders, who have any governing authority over a school district or school site. The sole exception shall be in school districts that are considered rural and where there are few providers.
4. **Not** hire school-employed personnel for any purpose other than instruction-related services or program coordination, as described in item #3 in the next section below.
5. **Not** make payments or in-kind contributions to schools or school personnel, exclusive of customary fees for facility utilization in exchange for access to facilities, to obtain student lists, to increase student enrollment, to obtain other similar benefits for their SES program or for any illegal purpose.

6. **Not** misrepresent to anyone, including parents (during student recruitment), the location of a provider's program, principal/district or state's approval of a provider, or the likelihood of becoming so approved.
7. **Not** offer a student, parent or teacher any form of incentive for signing-up a student with a provider. This includes restricting the promotion of any allowable attendance or performance incentives to the period following student enrollment. Only then may the provider inform the student of any incentives that are directly linked to attendance or performance in SES.
8. **Not** sponsor promotional events including pizza parties on school grounds for student recruitment that are for the sole benefit of a single provider. The preferred practice is for the school to organize such recruitment events that are for the benefit of all providers, accepting voluntary sponsorship from providers.
9. **Not** employ any SES-enrolled student.
10. **Not** use a district enrollment form that has the selected provider's name pre-printed as part of the form. Any facsimile of the enrollment form used to demonstrate how to accurately complete it must be clearly marked as "SAMPLE" and this facsimile shall in no way be used to actually enroll the student.
11. **Not** encourage students/parents to switch providers once enrolled. A student is considered enrolled once the District has issued the formal student / Provider selection list.

Providers MAY:

1. Provide simple door prizes of a nominal value (approximately \$2 per prize) and refreshments to potential students and their families, while attending informational sessions.
2. Offer enrolled students performance rewards with a maximum value of \$50 that are directly linked to documented meaningful attendance benchmarks and/or the completion of assessment and program objectives. These incentives shall not be advertised in advance of actual enrollment.
3. Employ a parent of an SES-eligible student subject to the following conditions. Each parent of an eligible student who is hired by a provider must have a written job description and must be compensated on the same basis as all other employees of the provider who perform similar work. No parent may receive any commission or other benefit related to the enrollment of his or her child in a provider's program, nor may a parent be subject to any employment action by the provider on account of the parent's selection of an SES program for his or her child.
4. Employ school district employees (subject to items #2, #3 and #4 in the previous section above) for instruction-related services or program coordination purposes as long as the person does not restrict the marketing or enrollment opportunities of other providers, subject to District policies governing conflict of interests and other District-imposed requirements. However, tutors who are currently employed by the school district may not recruit students.
5. Include in tutor compensation, incentives for student achievement consistent with a company's written policy.

For more information about the Education Industry Association, contact Steve Pines, Executive Director, 800-252-3280, spines@educationindustry.org or www.educationindustry.org.

APPENDIX B

Resources to Assist Providers in Developing Effective Supplemental Educational Services Programs

1. *No Child Left Behind Supplemental Educational Services Non-Regulatory Guidance:*
www.ed.gov/policy/elsec/guid/suppsvcsguid.doc
2. New Jersey Department of Education Supplemental Educational Services Web link:
www.nj.gov/njded/title1/program/ss/
3. *Giving Parents Options: Strategies for Informing Parents and Implementing Public School Choice And Supplemental Educational Services Under No Child Left Behind*
<http://www.ed.gov/admins/comm/choice/options/index.html>
4. The Supplemental Educational Services Quality Center produced a comprehensive guide for entities interested in becoming providers. Download guide from <http://www.tutors4kids.org/ToolkitDownload.asp>
5. New Jersey Department of Education information on school improvement and accountability:
www.nj.gov/njded/title1/accountability/
6. New Jersey Department of Education, Academic and Professional Standards Web site with information on the NJ Core Curriculum Content Standards: <http://www.nj.gov/njded/aps/cccs/>
7. Center for Faith-Based and Community Initiatives hosts free regional workshops. Visit www.ed.gov/about/inits/list/fbci/suppserv-workshops.html
8. The Supplemental Educational Services Quality Center produced a comprehensive toolkit for parents and community leaders, *SES in Action: A Toolkit for Parents and Community Leaders*. Download toolkit from www.tutors4kids.org/documents/SES_Action_Toolkit_Color_Web_FINAL.pdf
9. United States Department of Education (USDE): <http://www.ed.gov/admins/comm/suppsvcs/edpicks.jhtml?src=ln>.
10. SES Guidance and Resources for private schools (NJDOE): <http://www.nj.gov/njded/title1/program/ss/private.shtml>
11. New Jersey Department of Education information on Criminal History Review when Contracted Service Providers are Functioning in Multiple Districts <http://www.nj.gov/njded/educators/crimhist/>
<http://www.nj.gov/education/educators/crimhist/forms.htm>

APPENDIX C

Application Scoring Process

The New Jersey Department of Education uses an objective process for scoring supplemental educational services provider applications.

Step One

1. Reader panel members undergo rigorous training and preparation.
2. A reader panel reviews each application using a scoring rubric based on the application criteria.
3. Each reader scores the application independently.
4. These scores are then averaged to determine the final score.
5. If averaged scores are below, but close to the minimum passing score of 98, an additional independent reader may be assigned to review the application. In such cases, all scores are averaged to determine the final score.

Note: Consideration for approval is based on a combined averaged score of 98 or better.

Step Two

1. If independent reader scores fall both above and below the required minimum passing score of 98, an additional reader is assigned for a second tier review.
2. Scores of the reviews are averaged and compared against the minimum.
3. If the average is below the required minimum, the results of each reader's final score are analyzed to avoid skewing. For example, even though an average of the scores is below the minimum, if the majority of readers scored the application above the minimum (approved the application), then the application is approved.

Step Three

1. If the applicant is applying for renewal status, the reader panel will request from the State information regarding any outstanding SES Compliance and Safety Investigation Reports and information regarding the timely submission of all information requested by the state. If the averaged scores are within 10 points, above or below the minimum acceptable score of 98, the historical compliance of the provider will be considered. Ten points will be added to a final score if your organization completed the 2007-2008 SES Provider Annual Report and it was submitted on time. Ten points will be deducted from your final score if the 2007-2008 Provider Annual Report is missing or incomplete. Validated SES Compliance and Safety Investigation Reports will influence scores based upon the severity of the violation.

APPENDIX D

Definitions

Adequate Yearly Progress: Adequate yearly progress (AYP) is the measure of the extent to which students in a school, taken as a whole and certain groups within the school, demonstrate proficiency in at least language arts literacy, mathematics and science. It also measures the progress of schools under other academic indicators, such as the graduation or school attendance rate. The same provisions also apply to districts. Each State has developed its own definition of AYP, and these definitions have been approved by the U.S. Department of Education and are available in the State's accountability plan on the Department's website (<http://www.ed.gov/admins/lead/account/Stateplans03/index.html>). State definitions must reflect the objective of all students demonstrating proficiency by the end of the school year 2013-2014 [Section 1111(b)(2)].

Approved Provider List: The list of current year providers approved by the NJDOE to deliver services. The approval period is for two years from September 1, 2009 to August 31, 2011. Each approved provider listed serves at the pleasure of NJDOE unless otherwise noted on the NJDOE web site at: <http://www.nj.gov/education/title1/program/ss/providers/apprv-0809/>

Corrective Action: A school identified for corrective action is a school that has not made AYP for four years [Section 1116(b)(7)].

Eligible Student: Students eligible for supplemental educational services are those students from low-income families who attend Schools that are in their second year of school improvement, in corrective action, or in restructuring. Eligibility is thus determined by whether a student is from a low-income family and the improvement status of the school the student attends [Section 1116(e)(12)(A)]. Note that this differs from the eligibility criteria for public school choice, which is made available to *all* students in Schools in need of improvement, corrective action, or restructuring.

Eligible School: An eligible school is a School that has students eligible for supplemental educational services. This includes (1) a School that does not make adequate yearly progress by the end of the first full school year after having been identified as a school in need of improvement [Section 1116(b)(5)]; (2) a School that is in corrective action [Section 1116(b)(7)]; and (3) a School identified for restructuring [Section 1116(b)(8)].

Legal Entity is a [legal](#) construct through which the law allows a group of [natural persons](#) to act as if it were a single composite [individual](#) for certain purposes. The most common purposes are [lawsuits](#), [property](#) ownership, and [contracts](#). Sometimes referred to as [corporate personhood](#) or legal personality, this concept allows for easy conduct of business by having ownership, lawsuits, and agreements under the name of the legal entity instead of the several names of the people making up the entity.

A legal entity is not necessarily distinct from the natural persons of which it is composed. Most legal entities are simply amalgamations of the persons that make it up for convenience's sake. A legal entity that does have a separate existence from its members is called a [company](#) or [corporation](#). This distinction gives the corporation its unique perpetual [succession](#) privilege and is usually also the source of the [limited liability](#) of corporate members. Some other legal entities also enjoy limited liability of members, but not on account of separate existence.¹¹

Provider: A provider of supplemental educational services may be any public or private (non-profit or for-profit) entity that meets the State's criteria for approval. Potential providers include public schools (including charter

schools), private schools, districts, educational service agencies, institutions of higher education, faith- and community-based organizations, and private businesses. A public school or a district that is in need of improvement may not be a provider. A provider (1) has a demonstrated record of effectiveness in increasing student academic achievement; (2) can document that its instructional strategies are of high quality, based upon research, and designed to increase student academic achievement; (3) is capable of providing supplemental educational services that are consistent with the instructional program of the district and state academic content standards, (4) is financially sound, and (5) abides by all applicable Federal, State, and local health, safety, and civil rights laws [Section 1116(e)(12)(B) and Section 1116(e)(5)(C)].

Public School Choice: Students who attend a school in need of improvement, corrective action, or restructuring are eligible to transfer to another public school in the district, including a public charter school, that is not in need of improvement, corrective action, or restructuring status. Districts are required to make at least two transfer options available to students, if at least two options exist, and are responsible for paying all or a portion of transportation necessary for students to attend their new school; if funds are not available to satisfy all requests for transportation, districts must give priority to the lowest-achieving low-income students who request transportation.

Restructuring: A school identified for restructuring is a school that has not made AYP for five years [Section 1116(b)(8)]. The first year of restructuring may be used for planning; the plan for the restructured school must be implemented no later than the second year.

School Improvement: A school is in its first year of school improvement when it has not made AYP for two consecutive years. Once in school improvement status, a school must make AYP for two consecutive years to exit. A school is identified for year two of school improvement if it does not make AYP for a second year after initially being identified as in need of improvement [Section 1116(b)(1)(A)].

Supplemental Educational Services: Supplemental educational services are additional academic instruction designed to increase the academic achievement of students from low-income families that attend schools in their second year of school improvement, in corrective action, or restructuring. These services may include academic assistance such as tutoring, remediation and other educational interventions, provided that such approaches are consistent with the content and instruction used by the district and are aligned with the State's academic content standards. Supplemental educational services must be provided outside of the regular school day. Supplemental educational services must be high quality, research-based, and specifically designed to increase the academic achievement of eligible students. [Section 1116(e)(12)(C)].

Suspension: A temporary or permanent status which appears on the NJ SES Approved provider list as a result of an ongoing investigation by the New Jersey Department of Education SES team. This connotation will result in the suspension of all recruiting and/or service delivery of the approved provider until a final determination is reached.

NJ SES Compliance and Safety Investigation Reports: Confidentiality, Investigations and Findings

The delivery of student tutoring services, state compliance with the Supplemental Educational Services (SES) provisions of the federal No Child Left Behind Act of 2001 (NCLB) and district support for student achievement is the primary focus of the SES program.

The New Jersey Department of Education is bound by responsibilities listed in the SES provisions of the NCLB statute and non-regulatory guidance, specifically that of annually reporting to the public provider performance that impacts student achievement and revocation of a provider's state approval to deliver services. SES provider performance is communicated to the NJDOE via the Annual SES Provider Report, the Annual District Performance Report, Title I Monitoring Reports, and NJ SES Compliance and Safety Investigation Reports.

Disclaimer/Confidentiality Policy

Confidentiality and the protection of communications during the investigation of NJ SES Compliance and Safety Investigation Reports are considered an integral component of the integrity of NJDOE work with SES providers. Supplemental Educational Services is a competitive free market system and, within reason, the department recognizes and protects the confidentiality of information, alleged or learned, concerning the company's business practices, representatives and its accounting and financial matters.

During the course of investigating any reported issues of concern or safety we attempt a frank exchange, and do therefore only communicate with the primary and/or secondary organizational contact listed on the SES provider application. This information is contained in the public SES Provider Profile and must be kept current by the provider.

The NJDOE does not conduct communication with providers' attorneys unless that individual is listed as the primary or secondary agency contact. If a provider would like their attorney to participate in due process communications one of the following options must be executed:

1. A provider can send a power of attorney letter, with original signatures, to the following address:
New Jersey Department of Education
Office of Student Achievement and Accountability
Supplemental Educational Services
P. O. Box 500
Trenton, NJ 08625-0500
2. When a provider applies for approval or renewal as a New Jersey SES provider, it is possible to list the agency attorney as the secondary contact.

Unless the NJDOE receives an original signature power of attorney document or verification of the name of an agency secondary contact, we will honor confidentiality and limit all communication to the primary agency contact.

NJ SES Compliance and Safety Investigation Reports

The SES Compliance and Safety Investigation Report Form allows concerned individuals to articulate comments through a uniform method of communication to the NJDOE SES staff. Alleged incidents of SES non-compliance may be entered on the NJ SES Compliance and Safety Investigation Report Form available at: <http://www.nj.gov/education/title1/program/ss/>. The SES Compliance and Safety Investigation Report Form is not intended to be released to the public as it may contain unsubstantiated allegations, personal contact information and other written comments that may be unrelated to the SES allegation.

When an investigation becomes necessary, alleged incidents of SES non-compliance are entered on a document referred to as an SES Concern/Response Form. Personally identifying information is redacted from the Compliance and Safety Investigation Report Form and only the alleged violations are entered on the SES Concern/Response Form. This form is used as the vehicle that drives discussion, investigation, a response from the accused, and ultimately, a resolution to any concerns during an SES investigative process. The SES Concern/Response Form is available to the public through the Open Public Records Act (OPRA) with identifying information redacted.

Via a meeting with the NJDOE, the SES Concern/Response Form is presented to the named agency for discussion and response. The named agency is expected to respond to the concerns listed on the SES Concern/Response Form within ten business days. After receipt, the NJDOE reviews the response within ten business days. On or before the tenth day, the NJDOE notifies the accused of its findings and makes any necessary changes to approval status on the Annual State Approved SES Provider List.

Findings may include:

- Revocation of state approval and removal from the Annual State Approved SES Provider List, with cause. (Substantiated student safety issues of a serious nature will result in immediate revocation of state approval.)
- Evidence of provider compliance with a detailed corrective action plan and probationary period in order to remain on the Annual State Approved SES Provider List. Implementation of the corrective action plan is monitored by the NJDOE.
- A probationary period of monitoring.
- Temporary suspension from the Annual State Approved SES Provider List. Suspension entails mandatory cessation of recruitment and service delivery activities of an SES provider.

Findings are considered when a provider applies for biennial renewal and the state is required to publically report the revocation of state approval of an SES Provider as well as performance that impacts student achievement.

Questions regarding the above process should be e-mailed to ses@doe.state.nj.us or 609-943-4283.

Supplemental Educational Services Compliance and Safety Investigation Report

New Jersey Supplemental Educational Services (SES) non-compliance or unsafe practice must be communicated to the New Jersey Department of Education for review. Alleged incidents of SES non-compliance or unsafe practice may be communicated on this NJ SES Compliance and Safety Investigation Report Form available to the public at: <http://www.nj.gov/education/title1/program/ss/>.

Concerns must include documentation of non-compliance with SES requirements listed in one of the reference documents below. When submitting concerns please place a checkmark in front of the reference document listed below and on the reverse side of this document clearly cite the alleged violation or non-compliance.

This document contains personally identifiable information and is considered confidential. During SES investigations, the identifying information and any unrelated comments are redacted and only the alleged violations are entered on the SES Concern/Response Form which is available to the public through the Open Public Records Act (OPRA).

Date: _____ Subject of complaint: _____

Address of agency that is the subject of complaint: _____

Reference Documents that Include SES Requirements

- ☐ Alleged Violations of **Federal Statute (NCLB)**,
- ☐ Alleged Violations of **Federal Non-Regulatory Guidance**,
- ☐ Alleged Violations of **New Jersey Assurances for SES Providers**,
- ☐ Alleged Violations of **New Jersey Adopted EIA Code of Ethics for SES Providers**,
- ☐ Alleged Violations of **State Implementation Policy**,
- ☐ Alleged Violations of **District Service Contract**,
- ☐ Alleged Violations of **District Implementation Policy**,
- ☐ Alleged Violations of **Federal, State or Local Laws**,
- ☐ Other Alleged Violations (Cite the reference document) _____

Complainant's Name: _____

Complainant's Agency or District: _____

Address: _____

Telephone Number: _____ E-mail: _____

[illegible]

Fax: (609) 633-6874

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APPENDIX F

State of New Jersey
Department of Education
Office of Student Achievement and Accountability

Supplemental Educational Services Final Check List

Provider Name _____

Provider # if Renewal _____

Before you can consider your application packet complete make sure you complete and included the following items:

- ☐ **Part I: Supplemental Educational Services Provider Fact Sheet**
 - Section 2: Geographic Service Area and Restriction Information
 - Section 3: Provider Academic/Instructional Information
 - Section 4: Recruitment
 - Section 5: Statement of Qualifications and Effectiveness
 - Section 6: Provider Fees

- ☐ **Part II: Provider Profile**
 - A. Program Design and Alignment with State and Local Standards and Curriculum (limit 4 pages)
 - B. Evidence of Links between Research and Program Design (limit 1 page)
 - C. Evidence of Effectiveness (limit 3 pages)
 - D. Assessment and Progress (limit 1 page)
 - E. Communication with Parents and Schools (limit 1 page)
 - F. Qualifications of Instructional Staff and Professional Development (limit 1 page)
 - G. Discipline, Health and Safety (2 pages)
 - H. Evidence of Financial Capacity

- ☐ **Part III: Assurances and Signature**

- ☐ I have read and understand:
 - Appendix A: Code of Professional Conduct and Business Ethics for Supplemental Educational Services Providers
 - Appendix B: On-line Resources
 - Appendix C: Application Scoring Process
 - Appendix D: Definition of a Legal Entity with examples
 - Supplemental Educational Services Non-Regulatory Guidance

Please place the completed checklist on top of the original application and remember to include one original and two copies, with the original clearly marked.

Thank you!

Suzanne Ochse, Director
Office of Student Achievement and Accountability

Dr. Wendi Webster O'Dell, Coordinator
Supplemental Educational Services

Appendix G



STATE OF NEW JERSEY
DEPARTMENT OF THE TREASURY
DIVISION OF REVENUE



BUSINESS REGISTRATION CERTIFICATE

A Business Registration Certificate serves two purposes:

- **For public contracting, as proof of valid business registration with the New Jersey Division of Revenue.** All contractors and subcontractors must provide this documentation when seeking to do business with the State of New Jersey, and other public agencies in this state. Proof of registration is also required for licensure with the Casino Control Commission.
- **To comply with Chapter 85, P.L. 2006, defined under N.J.S.A. 54A:7-1.2.** You must use the Business Registration Certificate if you are an unincorporated construction contractor performing work in NJ or you are a registered unincorporated contractor requesting proof of certification.

If you are a registered vendor but have not received the Business Registration Certificate in the mail, you may [obtain a certificate online](#). Please note that this certificate is not required by all businesses in New Jersey, but only those doing business with the public sector and with the casino service industry.

You may check the [online registration inquiry](#) to determine if the business is already registered. If you have not registered but are required to have this certificate, you will need to complete Form NJ-REG. Representatives of the Division's Client Registration activity are available to assist in the registration process by calling 609.292.1730.

Filing Form NJ-REG

In most cases, you may [submit Form NJ-REG online](#). Exceptions and additional requirements include:

- Any business including an out-of-state business with a presence or nexus in New Jersey, operating as a **corporation, limited partnership, limited liability company or limited liability partnership** must first obtain legal authority to operate in this State prior to submitting Form NJ-REG. Generally, this is accomplished by filing a [Certificate of Incorporation](#) or Formation with the Division. You may wish to review information concerning [getting registered](#) to assist with this process.

- **Out-of-state businesses** that believe they do not have state tax nexus will file a [paper form NJ-REG](#) in order to obtain a Business Registration Certificate. Business entities that file form NJ-REG only will be subject to a nexus review, initiated and conducted by the Division of Taxation.
- **Individuals or Unincorporated Construction Contractors** with no business tax or employer obligations may register using [Form Reg-A](#) instead of Form NJ-REG in order to obtain the Business Registration Certificate. Individuals who have created and are operating as a business entity (e.g. LLC) may not use Form REG-A.
- **Non-profit organizations** although required to register for tax purposes are not subject to the proof of registration requirement when contracting with public agencies in this state.

Public Contracts

When seeking a public contract, an affirmative action report (Form AA-302) will also be required. The Certificate of Registration may not be used as evidence of compliance with the affirmative action requirements and submitted in lieu of Form AA-302. Both forms will be required. The Division of Contract Compliance and Equal Employment Opportunity in Public Contracts provide guidelines for awarded public contracts.

In addition, answers to [frequently asked questions](#) are provided by the Division of Local Government. While designed for local government contracting, the FAQ page contains guidance that it is applicable to most New Jersey government procurement activities.

- [Registering for Tax Purposes](#)
- [Circular Letter Regarding Proof of Registration for State Government Contracting](#)
- [Instructions for Contracting with Local Government, Colleges and Universities, County Colleges and Boards of Education](#)
- [Guidelines and Regulations for Awarded Public Contracts](#)
- [Affirmative Action Employee Information Report \(Form AA-302\)](#) PDF
- [Local Government Services' Flyer for Registering and Obtaining Proof of Registration](#)